

physically mounted to the apparatus.

### REMARKS

This Amendment is in response to the Office Action mailed February 25, 2002. In that Office Action, claims 3, 5, 8 and 10 were withdrawn from consideration. Claims 1 and 4 were rejected under 35 USC Section 112, 2nd paragraph. Claims 1, 2, 6, 7, 20, 22 and 23 were rejected under 35 USC 102(b) over US Patent 3,229,757 to Root et al. Claim 21 is rejected under 35 USC 103(a) over US Patent 3,229,757 to Root et al. Claims 9 and 11 were merely objected to but indicated as containing patentable subject matter.

Applicant respectfully traverses these rejections for the reasons set out hereinafter.

Claim 1 has been rewritten to recite the at least two input heat transfer elements are for extending into the mass of product and have a food grade coating. Support for the use of a food grade coating is found in the specification at Page 11, lines 11-14. Clearly, Root does not use a food grade coating. Thus, claim 1 and claims 2, 4, 6, 7, 9, 11, 20 and 21 dependent thereon are believed patentable over this reference.

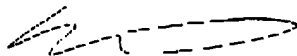
Claim 4 has been rewritten to include a pan as part of the apparatus. This claim is thus believed to satisfy the requirements of Section 112.

Claims 22 and 23 have been amended to recite the fact that no heat source is physically mounted to the apparatus. Thus, these claims clearly distinguish over the Root patent. In Root, a heat source, the transistor 14, is clearly physically mounted to the apparatus 10.

For the reasons set forth above, allowance of all pending claims in the application is respectfully requested.

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Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claim 1 (Amended). An apparatus for rapidly changing the temperature of a mass of product, comprising:

at least two input heat transfer elements at least one input heat transfer element for extending into the mass of product, the input heat transfer elements being in parallel spaced planes and having a food grade coating;

at least one output heat transfer element in thermal contact with the input heat transfer elements and exposed to an ambient temperature environment to transfer thermal energy between the product mass and the ambient temperature environment.

Claim 4.(Amended) The apparatus of Claim 1 further comprising a pan wherein the mass of product is in the [a] pan, the pan having a bottom, [said] at least one of said input heat transfer elements [element] contacting the bottom of the pan.

Claim 22.(Twice Amended) An apparatus for rapidly changing the temperature of a mass of product, comprising:

a plurality of product contacting input heat transfer elements for insertion within the mass of product, the input heat transfer elements being fins having first and second major fin surface areas, the fin surface areas of said input heat transfer elements being generally parallel;

a plurality of output heat transfer elements in thermal contact with the plurality of input heat transfer elements and an ambient temperature environment to transfer thermal energy between the product mass and ambient temperature environment, the output heat transfer elements being fins having first and second major fin surface areas, the fin surface areas of said output heat transfer elements being generally parallel each other and generally parallel to the fin surface areas of the input heat transfer elements, no heat source being physically mounted to the apparatus.

Claim 23.(Twice Amended) An apparatus for rapidly changing the temperature of a mass of product, comprising:

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a plurality of product contacting input heat transfer elements for insertion within the mass of product;

a plurality of output heat transfer elements in thermal contact with the plurality of input heat transfer elements and to an ambient temperature environment to transfer thermal energy between the product mass and ambient temperature environment, the input and output heat transfer elements formed of an single extruded body of aluminum, no heat source being physically mounted to the apparatus.